

REMARKS/ARGUMENTS

In the Office Action mailed February 11, 2009, claims 1 – 10 were rejected. In response, Applicants have amended claims 1, 2, 4, 5, 7, 9, and 10 and added claims 11 and 12. Applicants hereby requests reconsideration of the application in view of the amended claims, the added claims, and the below-provided remarks.

For reference, paragraph [0037] (U.S. Pub. No. 2006/0090211 A1) is amended to correct a missing “V3,” which appears to have been forgotten in the English translation. No new matter is added by the amendment.

Claim Objection

Claim 10 is objected to as being in improper form because a multiple dependent claim should refer to other claims in the alternative only. Claim 10 has been amended to refer only to claim 1. Therefore, claim 10 is no longer a multiple dependent claim.

Claim 10 was also rejected under 35 U.S.C. 101 because the claim is directed towards two separate statutory classes. Applicants assert that amended claim 10 is not directed towards two separate statutory classes.

Claim Rejections under 35 U.S.C. 112, second paragraph

Claims 2 and 10 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, claim 2 is rejected because it recites the phrase “for example.” Claim 2 has been amended to remove the phrase “for example.”

Claim 10 recites “at least one circuit arrangement as claimed in claim 1 and/or of the method as claimed in claim 5.” Claim 10 has been amended to refer to claim 1 only. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. 112, second paragraph, be withdrawn.

Claim Rejections under 35 U.S.C. 102 and 103

Claims 1 – 6 and 8 – 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Force et al. (U.S. Pat. No. 5,533,123, hereinafter Force). Additionally, claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Force in view of Beuten et al. (U.S. Pat. Pub. No. 2003/0018902, hereinafter Beuten). However, Applicants respectfully submit that these claims are patentable over Force in view of Beuten for the reasons provided below.

Claim 1

Claim 1 has been amended to recite some of the limitations from dependent claim 4. In particular, claim 1 was amended to particularly point out that the preventing unit is arranged to perform operations j=1, j=2, j=4, and j=7. Support for the amendment is found in Applicants' specification at, for example, paragraphs [0041] – [0045]. As amended, claim 1 recites:

“A microelectronic circuit arrangement intended for protecting at least one electronic component against illicit manipulation and/or unauthorized access, having at least one activating unit for checking that at least one activating condition is met and for activating at least one preventing unit that is also associated with the circuit arrangement and that is connected to the activating unit, by means of which preventing unit the component can be at least partly de-activated and/or at least partly destroyed in the event of illicit manipulation and/or unauthorized access;
characterized in that the preventing unit is arranged
(j=1) to prevent an internal oscillator from beginning to oscillate;
(j=2) to prevent an oscillator for an external clock signal from beginning to oscillate;
(j=4) to prevent the build-up of a high voltage; and
(j=7) to switch on an increased current drain in the operating state or the quiescent state.” (emphasis added)

With respect to claim 4, the Office action directly addresses the limitation “to load the memory element of the component with illicit values of data” (j=6) citing column 26, lines 16 – 21 of Force. However, the Office action does not directly address any of the other limitations of claim 4 (as previously presented), i.e., j=1, j=2, j=3, j=4, j=5, and j=7. As is well known, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art

reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) (MPEP 2131) Applicants assert that Force does not disclose the limitations of j=1, j=2, j=4, and j=7 as recited in amended claim 1. Because Force does not disclose the limitations of j=1, j=2, j=4, and j=7 as recited in amended claim 1, Applicants assert that amended claim 1 is not anticipated by Force.

Independent Claim 5

Independent claim 5 has been amended to include similar limitations to claim 1. Although the language of claim 5 differs from the language of claim 1 and the scope of claim 5 should be interpreted independently of claim 1, Applicants respectfully assert that the remarks provided above in regard to claim 1 apply also to claim 5.

New Claims

New claim 11 is similar to amended claim 10 except that new claim 11 refers to claim 5 only.

New claim 12 includes all of the limitations of claim 1 (as previously presented) along with the limitation from claim 4 of “characterized in that the preventing unit is arranged (j=4) to prevent the build-up of a high voltage.” As stated above with respect to claim 4, the Office action directly addresses the limitation “to load the memory element of the component with illicit values of data” (j=6) citing column 26, lines 16 – 21 of Force. However, the Office action does not directly address any of the other limitations of claim 4 (as previously presented), specifically j=4. Applicants assert that Force does not disclose the limitation of j=4 as recited in new claim 12. Because Force does not disclose the limitation of j=4 as recited in new claim 12, Applicants assert that new claim 12 is not anticipated by Force.

Dependent Claims 2 – 4 and 6 – 11

Claims 2 – 4 and 10 depend from and incorporate all of the limitations of independent claim 1 and claims 6 – 9 and 11 depend from and incorporate all of the limitations of claim 5. Applicants respectfully assert that dependent claims 2 – 4 and 6 – 11 are allowable at least based on allowable base claims.

CONCLUSION

Applicants respectfully request reconsideration of the claims in view of the proposed amendments and the remarks made herein. A notice of allowance is earnestly solicited.

At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **50-4019** pursuant to 37 C.F.R. 1.25. Additionally, please charge any fees to Deposit Account **50-4019** under 37 C.F.R. 1.16, 1.17, 1.19, 1.20 and 1.21.

Respectfully submitted,

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